IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

MONDAY THE THIRTIETH DAY OF JULY,
TWO THOUSAND AND SEVEN
: PRESENT:
THE HON'BLE SHRI G.S. SINGHVI THE CHIEF JUSTICE
AND
THE HON'BLE SHRI JUSTICE G.V.SEETHAPATHY

TAKEN UP WRIT PETITION NO: 11375 of 2006

Between:

Smt. Banavathula Lakshmi, W/o. Krishna Jainur, Remand Prisoner No. 538, State Mahila Jail, Rajamandry, East Godavari District.

..... Petitioner

AND

1. The Principal District & Sessions Judge, Krishna District at Machilipatanam.
2. The Judicial Magistrate of First Class, Nandigama, Krishna District.
3. The Station House Officer, Kanchikacherla Police Station-Kanchikacherla, Krishna District.
4. The Superintendent of Police, Krishna District at Machilipatnam.
5. The Superintendent, State Mahila Jail, Rajamundry, East Godavari District.
6. The Director General and Inspector General of Prisons and Correctional Services, Chanchalguda, Hyderabad.
7. The Director General of Police, Government of- Andhra Pradesh, Hyderabad.
8. The Government of Andhra Pradesh, represented by its Principal Secretary, Home Department, Secretariat, Hyderabad.

.....Respondents

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the "PETITION dated: 01-03-2006 sent by the petitioner herein the High Court will be pleased to issue an Order, direction, or a Writ, more particularly one in the nature of Writ of Mandamus to call for the records and remarks from the Respondents herein in and connected to (i) non committal of the case of the petitioner in Crime No. 136/03 of Kanchikacherla Police Station registered as PRC No. 37/2005 on the file of the Court of the Judicial First Class Magistrate, Nandigama, Krishna District to the sessions Court till 05-06-2006 resulting languishing of the petitioner in State Mahila Jail, Rajamundry since 05-11-2003 as per the contents of the report submitted by the Sessions Judge, Krishna at Machilipatnam; (ii) granting bail to the petitioner in Crime No. 136/03 of Kanchikacherla Police for offences U/s. 387 of I. P. C. and Sec. 5 of Explosive Substances Act 1908 by the Judicial Magistrate of First Class, Nandigama, Krishna District on condition of executing a personal bond for Rs. 5000/- with one surety for a like sum and intimating the said fact to her through the Superintendent, State Mahila Jail, Rajamundry, East Godavari District on 05-05-2004; (iii) refusal by the Judicial Magistrate of First Class, Nandigama, Krishna District to release her on personal bond on 02-07-2004 due to strong resistance by the Assistant Public Prosecutor; (iv) not releasing the petitioner herein on bail though bail was granted due to non production of surety by her and is in Judicial Custody even till date;

And

prays the Hon'ble High Court to direct the Sessions Judge, Krishna District at Machilipatnam for speedy disposal of the case of the petitioner

mentioned supra;

The petition coming on for orders upon perusing the petition dated: 01-03-2006 sent by the petitioner and the orders of the High Court dated: 13-06-2006, 24-07-2006, 02-08-2006, 09-08-2006 & 07-09-2006, made herein and upon hearing the arguments of the G.P. for Home for the Respondents No. 3 to 8, and of Shri K. Rama Krishna Reddy, Senior Advocate. Shri G. Vidya Sagar, Advocate – Cum – President, Andhra Pradesh High Court Bar Association, Shri Satya Prasad, learned Special Government Pleader, the Court made the following

(Contd. 2.)

ORDER:

Sd/- T. S. VASANTHAKESAVULU

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The District and Sessions Judge, Krishna District at Machilipatnam
2. The Principal District & Sessions Judge, Krishna District at Machilipatanam.
3. The Judicial Magistrate of First Class, Nandigama, Krishna District.
4. The Station House Officer, Kanchikacherla Police Station-Kanchikacherla, Krishna District.
5. The Superintendent of Police, Krishna District at Machilipatnam
6. The Superintendent, State Mahila Jail, Rajamundry, East Godavari District. (Addresses 1 to 6 BY RPAD)
7. The Director General and Inspector General of Prisons and Correctional Services, Chanchalguda, Hyderabad. **(BY SPECIAL MESSENGER)**
8. The Director General of Police, Government of- Andhra Pradesh, Hyderabad. **(BY SPL. MESSENGER)**
9. The Principal Secretary, Home Department, Government of Andhra Pradesh, Secretariat, Hyderabad. **(BY SPECIAL MESSSENGER)**
10. Two CCS to the G.P. for Home, High Court of A.P., Hyderabad. **(BY SPECIAL MESSENGER)**

11. Two CCs to the Special Govt. Pleader, High Court of A.P., Hyderabad **(BY SPECIAL MESSENGER)**
12. Shri G. Vidya Sagar, Advocate – Cum – President, A. P. High Court Bar Association, Hyderabad. **(BY SPECIAL MESSENGER)**
13. **The Registrar (Judicial) High Court of A.P., Hyderabad (for kind perusal)**
14. Two spare copy.
15. To All the Principal District and Sessions Judge, Adilabad, Anantapur, Chittoor, Cuddapah, East Godavari, West Godavari, Guntur, Karimnagar,Khammam, Kurnool, Mahaboonagar, Medak at Sangareddy, Nalgonda, Nellore, Nizamabad, Prakasam, Ranga Reddy, Srikakulam, Visakhapatnam, Vizianagaram, Warangal.
16. The Chief Judge, City Civil Courts, Hyderabad.
17. The Metropolitan Sessions Judge, City Criminal Courts, Nampally, Hyderabad.

BV

HIGH COURT

AB
DRAFTED ON 27-7-2006

HCJ
&
GVS J

DATE: 24-07-2006

NOTE: POST ON 31-07-2006

ORDER

WP. No. 11375 of 2006

DIRECTION